

CITY OF SEGUIN

ORDINANCE NO.

STATE OF TEXAS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING SECTIONS OF THE SEGUIN UNIFIED DEVELOPMENT CODE AS DESCRIBED HEREIN; PROVIDING A SEVERABILITY CLAUSE; AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Seguin City Council recently adopted the Unified Development Code (UDC) that will encourage better planning and development throughout the city and will be easier for the public to use; and

WHEREAS, the Seguin City Council desires to provide for the orderly, safe and healthful development of land located within the community; and

WHEREAS, the City Council of the City of Seguin desires to promote the health, safety, morals and general welfare of the citizens of the city, by regulating the land uses within the Seguin City Limits and subdivision development within the Seguin City Limits and Extraterritorial Jurisdiction; and

WHEREAS, on March 14, 2015, after conducting a public hearing, the Planning and Zoning Commission voted to recommend to City Council that the amendments to the UDC as described herein be adopted.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Seguin, Texas:

PART ONE. Section 1.1.9, Violations, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

1.1.9 Violations, Enforcement and Remedies

A. Responsible Official

The provisions of this Code shall be administered and enforced by the Official identified in Section 1.2.7 or his/her duly authorized representative of the City of Seguin.

B. Right to Enter

The Responsible Official or any duly authorized person shall have the right to enter upon any premises at any reasonable time for the purpose of making inspection of buildings or premises necessary to carry out the duties in the enforcement of this Code. If the Responsible Official or his/her duly authorized representative is refused entry, he shall have to obtain proper judicial authorization.

C. Stop Orders

Whenever any work is being done contrary to the provisions of this Code, the Responsible Official or his/her duly authorized representative may order the work

stopped by notice in writing served on the owner or contractor doing the work or causing such work to be done, and any such person shall forthwith stop such work until authorized to proceed with the work.

D. Violations

A failure to timely perform any duty or obligation set forth in this Ordinance, the failure to develop any land or subdivision in conformance with this Ordinance, or the use of property in a manner not specifically permitted by this Ordinance is a violation and may be punished as a misdemeanor that, upon conviction, is subject to fines in accordance with Section 1-14 of the Seguin Code of Ordinances. Each day that a violation occurs shall be a separate violation.

E. Additional Remedies

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure, or land is used in violation of this act or of any ordinance or other regulation made under the authorities of the municipality, in addition to other remedies, the City shall institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to refrain, correct or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises. Appropriate action or proceedings shall include termination of utility services (water, gas, electric), revocation of permits, licenses, or bonds, and institution of legal action in courts of competent jurisdiction.

PART TWO. Section 1.2.5, Long Range Planning Committee, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

1.2.5 Long Range Planning Committee

The Long Range Planning Committee is comprised of seven (7) citizens appointed by the Seguin City Council. This committee serves as an advisory committee to help and advise the Planning and Zoning Commission and City Council on the implementation of the Comprehensive Plan. The Long Range Planning Committee shall in addition try to anticipate the future needs to the City and make recommendations concerning the same. All requests for amendments to the Comprehensive Master Plan, excluding Future Thoroughfare Plan amendments, shall be reviewed by the Long Range Planning Committee. The Committee will make a recommendation to the Planning and Zoning Commission on how to proceed with the request.

PART THREE. Section 2.7.5, Variances (Board of Adjustments): General Process, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

2.7.5 General Process

An application for a variance shall be submitted to the Planning Director for review. The applicant shall submit written findings of fact supporting the request for a variance. Staff shall review all variance requests and provide the ~~Planning and Zoning Commission~~ Board of Adjustments with a staff analysis of the request. Written notice of all Board of Adjustments hearings on proposed changes to the official zoning map shall be sent to all owners of property located within two hundred (200) feet of the subject property seeking a change in zoning. All notices shall be mailed via the US Post Office within not less than ten (10) days before any such hearing is held. Property owner information based on County Appraisal District records.

PART FOUR. Section 3.4.3, Land Use Matrix: Industrial Uses, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strike through~~ indicates deleted text):

Industrial Uses

	A-R	R-R	S-R	R-1	DP-1	DP-2	ZL	MF 1,2,3	MR	MHP	NC	C	P	LI	I	DHD
Auto Crushing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-
Concrete Batch Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-
Contractor's storage/ equipment yard	-	-	-	-	-	-	-	-	-	-	-	S	-	P	P	-
Crematory	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-
Slaughter Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-
Drilling and or Mining for Oil, Gas, and other minerals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-
Heavy Industry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
Light Industry	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Petroleum bulk stations and terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-
Recycling center (outside)	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	-
Recycling center (inside)	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Salvage yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
Scrap processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
Self-Storage (no outside storage)	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-
<u>Self-Storage (with outside storage)</u>	-	-	-	-	-	-	-	-	-	-	-	<u>S</u>	-	<u>S</u>	<u>P</u>	-
Truck Stop	-	-	-	-	-	-	-	-	-	-	-	S	-	S	P	-
Warehouse with no outdoor storage	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-
Warehouse with outdoor storage	-	-	-	-	-	-	-	-	-	-	-	<u>S</u>	-	P <u>S</u>	P	-

PART FIVE. Section 4.1.4.C, Subdivisions: General Principles of Acceptability for Subdivision Design, of the Unified Development Code is hereby amended as follows (underlining indicates added test, ~~strikethrough~~ indicates deleted text):

- C. Lot sizes must conform to the minimum lot area, minimum lot width, and minimum yard standards required in the underlying zoning district; ETJ lots shall ~~be in compliance with minimum standards adopted by Guadalupe County.~~ have a minimum lot frontage (width) of 100' and minimum lot area of 0.5 acres.

PART SIX. If any word, phrase, clause, sentence, or paragraph of this ordinance or the Unified Development Code is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance or the Unified Development Code will continue in force if they can be given effect without the invalid portion.

PART SEVEN. All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

PART EIGHT. City staff is authorized to prepare this Ordinance for submission as a supplement to the Seguin Code of Ordinances.

PART NINE. This ordinance shall be published in a newspaper of general circulation.

PART TEN. This ordinance shall be effective upon ten (10) days following passage on second reading and shall be published in a newspaper of general circulation.

PASSED AND APPROVED on the first reading this 21st day of April 2015.

PASSED AND APPROVED AND ADOPTED on the second reading this 5th day of May, 2015.

DON KEIL
Mayor

ATTEST:

Thalia Stautzenberger
City Secretary